

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action, and amended as necessary to more clearly and particularly describe the subject matter that Applicant regards as the invention.

Claims 1, 2, 5 and 6 were rejected under 35 U.S.C. 102(b) as being anticipated by O'Leary. Claim 1 recites:

“wherein the frequency control signal generating portion includes:

a first counter which is operated synchronously with the frequency of the first clock signal;

a second counter which is operated synchronously with the frequency of the second clock signal; and

a calculator which calculates a phase difference between output signals output from the first and second counters that occurs after a predetermined time, and generates the frequency difference between the first clock signal and the second clock signal based on the calculated phase difference.”

O'Leary discloses a phase locked loop (PLL) of a DDS system. A comparator and a loop filter of the PLL are used to detect a phase difference and a tuning amount of a frequency of signals. On the other hand, in the PLL of claims 1 and 5, the PLL performs a counter process, a value difference calculation, and a conversion calculation for a frequency control value. Further, the calculator calculates a phase difference between output signals output from the counters that occurs *after a predetermined time*. Applicant respectfully submits that, in view of the current

amendment, claim 1 is not anticipated by and is allowable over O'Leary. Claim 2 depends from claim 1.

The arguments provided above with respect to claim 1 are also applicable to claims 5 and 6.

Claims 1 and 5 were rejected under 35 U.S.C. 102(e) as being anticipated by Lesso. To perfect the claim to foreign priority, Applicant has submitted an English language translation of the certified copy of the priority document. The translation is accompanied by a statement that the translation is accurate. The filing date of the priority document in Japan is July 30, 2004, which antedates the U.S. filing date of Lesso (November 15, 2004). Therefore, the rejection under 35 U.S.C. 102(e) should be withdrawn.

Claim 3 was rejected under 35 U.S.C. 103(a) as being unpatentable over O'Leary. Claim 3 depends from claim 1 and, therefore, the arguments provided above with respect to claim 1 are also applicable to claim 3.

Claims 4 and 7 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lesso. In view of the applicant's perfected foreign priority claim, the rejections under 35 U.S.C. 103(a) should be withdrawn.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

Appln. No. 10/598,617
Amendment dated April 29, 2008
Reply to Office Action dated January 29, 2008

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. NGB-41084.

Respectfully submitted,
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